

PREVAILED

Roll Call No. _____

FAILED

Ayes _____

WITHDRAWN

Noes _____

RULED OUT OF ORDER

HOUSE MOTION _____

MR. SPEAKER:

I move that House Bill 1181 be amended to read as follows:

- 1 Page 1, line 14, delete "(d)" insert "(c) or (e)".
- 2 Page 1, line 15, after "(c)" insert "**Except as provided in**
- 3 **subsection (d) of this section, the**" and delete "The".
- 4 Page 1, line 17, delete "(c)" and insert "(b)".
- 5 Page 2, line 8, before "revenue" insert "regulated", and after
- 6 "revenue" insert "derived from the regulated activity".
- 7 Page 2, between lines 18 and 19, begin a new line block indented
- 8 and insert:
- 9 "**(6) The civil penalty imposed under this section shall not**
- 10 **exceed two million five hundred thousand dollars (\$2,500,000) per**
- 11 **calendar month.**"
- 12 Page 2, between lines 18 and 19 insert:
- 13 "**No utility shall be subject to both a penalty under this section and**
- 14 **a penalty under a commission approved settlement agreement for**
- 15 **the same violation or noncompliance. If the commission approves**
- 16 **a settlement agreement that includes penalties or remedies for**
- 17 **noncompliance with specific provisions of the settlement**
- 18 **agreement, then the remedies provided in this section shall not**
- 19 **apply to those violations or noncompliance during the lifetime of**
- 20 **the settlement agreement.**"
- 21 Page 2, line 36, delete "(d)" and insert "(c)".
- 22 Page 2, line 37, delete "(d)(1) or (d)(2)" and insert "(c)(1) or
- 23 (c)(2)".
- 24 Page 4, line 12, after "Indiana" insert "**The reasonable**
- 25 **performance bond shall not exceed two million dollars**
- 26 **(\$2,000,000).**"

(Reference is to HB 1181 as printed February 9, 2001.)

